

E-FILED - 4/29/08

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

EDWARD PAYTON,

Plaintiff,

v.

DR. SADEGHI, et al.,

Defendants.

No. C 06-3649 RMW (PR)

ORDER REFERRING CASE
TO PRO SE PRISONER
SETTLEMENT PROGRAM;
INSTRUCTIONS TO CLERK

Plaintiff, a California prisoner proceeding pro se, filed the instant civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff has paid the filing fee. Plaintiff filed an amended complaint on May 11, 2007. On January 7, 2008, the court ordered service of the amended complaint on the named defendants and granted plaintiff's request to refer the case to the court's Pro Se Prisoner Settlement Program after the defendants had been served and filed an answer. Defendants have filed an answer to the complaint.

Accordingly, the court REFERS the instant case to the Pro Se Prisoner Settlement Program and STAYS this action pending settlement conference proceedings with Magistrate Judge Vadas.

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DISCUSSION

The Northern District of California has established a Pro Se Prisoner Settlement Program. Certain prisoner civil rights cases may be referred to a neutral magistrate judge for prisoner settlement proceedings. The proceedings will consist of one or more conferences as determined by Magistrate Judge Nandor Vadas. The conferences shall be conducted with defendants, or the representative for defendants, attending by videoconferencing if they so choose.

Good cause appearing, the instant case is REFERRED to Magistrate Judge Vadas for settlement proceedings pursuant to the Pro Se Prisoner Settlement Program. The proceedings shall take place **within ninety (90) days** of the date of this order.

Defendants' counsel shall contact Judge Vadas **within twenty-one (21) days of the date this order is filed** to schedule a date for the settlement conference in this matter.

Magistrate Judge Vadas shall coordinate a time and date for a settlement conference with all interested parties or their representatives and, **within ten (10) days** after the conclusion of the settlement proceedings, file with the court a report regarding the prisoner settlement proceedings.

The clerk of court shall deliver the court file or a copy thereof, including a copy of this order, to Magistrate Judge Vadas in Eureka, California. The instant case is STAYED pending the settlement conference proceedings.

It is plaintiff's responsibility to prosecute this case. Plaintiff is reminded that all communications with the court must be served on defendants by mailing a true copy of the document to defendants' counsel. Plaintiff must keep the court and all parties informed of any change of address by filing a separate paper captioned "Notice of Change of Address."

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1 Plaintiff must comply with the court's orders in a timely fashion. Failure to do so may
2 result in the dismissal of this action for failure to prosecute pursuant to Federal Rule of
3 Civil Procedure 41(b).

4 IT IS SO ORDERED.

5 DATED: 4/28/08



RONALD M. WHYTE
United States District Judge